

The Speaker announced the business of the Joint Session concluded, and on motion of Senator Goss, the Senate retired to its chamber.

IN SENATE.

HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, Jan. 17, 1899.

Hon. Geo. T. Jester, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following House Concurrent Resolution No. 3.

Inviting Hon. Wm. J. Bryan of Nebraska, to visit the capitol and address the House of Representatives and Senate of the State of Texas.

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Senator Ross called up House Concurrent Resolution No. 3, (see House message above) and moved its adoption, to-wit:

House Concurrent Resolution No. 2.

Whereas, We are advised through the press that Hon. William Jennings Bryan, of Nebraska, will visit this State on or about the 19th of the present month, therefore be it

Resolved, By the House of Representatives of the State of Texas, the Senate concurring, that a committee of three be appointed by the Speaker, who shall, in conjunction with a similar committee to be appointed by the President of the Senate, extend to Mr. Bryan the cordial greeting of the Legislature, and an invitation to visit the Capitol, and address the members of the House and Senate in joint session.

Adopted, and the Chair appointed on part of the Senate, Senators Potter, Terrell and Miller.

By unanimous consent, Senator Dibrell offered the following:

Resolved, That Senate Committee Room No. 1, now occupied by the Board of Pardons, be set aside for the Committee on Finance, and that the Sergeant-at-Arms be requested to clear said room of rubbish and prepare same for said committee.

Resolution read and adopted.

On motion of Senator Morriss, the Senate adjourned to 10 a. m. tomorrow.

EIGHTH DAY.

Senate Chamber,
Austin, Tex., Thursday, Jan. 19, 1899.
Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Neal.
Goss.	Odell.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
James.	Stafford.
Johnson.	Terrell.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.

Absent.

Burns. Stone.

Absent—Excused.
Hanger. Patterson.

Prayer by the Chaplain, Rev. Dr. Denson.

Pending the reading of the Journal of yesterday,

On motion of Senator McGee, the same was dispensed with.

EXCUSED.

On motion of Senator Miller, Senator Lewis was excused indefinitely from yesterday on account of important business.

ASSIGNMENT OF COMMITTEE CLERKS.

The following assignment to duty of the Senate Committee Clerks, was announced by the Chair:

Otto D. H. Pfeuffer—No. 1; Finance and Judicial Districts; Tuesdays and Thursdays 3:30 p. m.

W. J. Bullock—State Affairs, Mondays 4 p. m.; Military Affairs, subject to call; Agricultural Affairs; Treasurer's and Comptroller's Offices; Rules; subject to call.

F. B. Hughes—No. 6; Judiciary No. 1, Tuesdays and Thursdays; Public Lands and Land Office; Insurance, Statistics and History.

M. L. Goodwin—No. 4; Penitentiaries, Mondays and Thursdays 5 p. m.; Public Health; Contingent Expenses; Asylums.

H. E. J. McDermott—No. 5; Judiciary No. 2, Mondays and Wednesdays; Towns and City Corporations; Labor, Saturdays 3 o'clock.

G. C. Morriss—No. 3; Educational, Wednesdays and Fridays 3 p. m.; Constitutional Amendments, subject to call; Public Debts; Claims and Accounts;

Federal Relations, subject to call; Mining and Irrigation.

Miss Faith Harrison—No. 2; Internal Improvements, Mondays and Fridays 4 p. m.; Public Roads, Bridges and Ferries, subject to call; Public Buildings and Grounds.

June Kimble—Commerce and Manufactures; Stock and Stock-raising; Counties and County Boundaries; Public Printing; Privileges and Elections.

INVITATION.

At the direction of the Chair, the following was read:

AUSTIN, TEXAS, Jan. 19, 1899.

Lieutenant-Governor Browning.

DEAR SIR: At 7:30 o'clock, this evening, yourself, the members of the Senate, and the employes, are cordially invited to attend an entertainment in the Hall of the House of Representatives, given under the auspices of the Sons of the Confederacy and the Albert Sidney Johnston Chapter, U. D. C., in honor of Albert Sidney Johnston.

Respectfully,

Mrs. Wm. H. Tobin, Pres.
L. Shaver, Com.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Jan. 18, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 27, being a bill to be entitled "An Act to define 'legal' and 'conventional' interest, to create the distinction between the same and regulate the rate of interest thereof on contracts and judgments, to provide pains and penalties to prevent usury and to repeal all laws in conflict with this act."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

YANTIS, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 13, being a bill to be entitled "An Act to amend Article 490, Title XV, Chapter 1, Penal Code of the State of Texas, and by adding thereto subdivisions 7 and 8, and to repeal a portion of Article 492, Title XV, of the Penal Code."

Have had the same under consideration—
5—Senate

tion, and I am instructed to report the same back to the Senate with the recommendation that it *do not pass*.

YANTIS, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 14, being a bill to be entitled "An Act to amend Subdivisions 1 and 2, Article 1093, Title XV, Chapter 2, of the Code of Criminal Procedure of the State of Texas, relating to attached witnesses."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

YANTIS, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 37, being a bill to be entitled "An Act to amend Article 2460, Revised Statutes of Texas, by adding Articles 2640a, 2640b, 2640c, 2640d, relating to mileage charged by sheriffs and constables in civil cases."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it be referred to Judiciary Committee No. 1.

YANTIS, Chairman.

Committee Room,
Austin, Texas, Jan. 19, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on the Revision of Rules, to whom was referred the matter of revising the Senate rules,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the accompanying rules be adopted as the rules of the Senate and the joint rules of the Senate and House of Representatives and that they do not be printed in the Journal.

GOUGH, Chairman.

BILLS AND RESOLUTIONS.

By Senator Miller:

Whereas, There is now in the library of the Supreme Court several duplicate sets of reports and other works of no value to them, which if distributed amongst the various Courts of Civil Ap-

peals would materially increase the usefulness of their libraries; therefore be it Resolved by the Senate, the House of Representatives concurring, that Chief Justice Gaines be and is hereby authorized to distribute such surplus books among the several Courts of Civil Appeals.

Senator Goss moved to refer the resolution to Judiciary Committee No. 1.

Referred by the following vote:

Yeas—19.

Atlee.	Neal.
Davidson.	Odell.
Goss.	Potter.
James.	Ross.
Johnson.	Stafford.
Kerr.	Terrell.
Linn.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.
Morriss.	

Nays—6.

Dibrell.	Grinnan.
Gough.	Miller.
Greer.	Sebastian.

Absent.

Burns.	Turney.
Stone.	

Absent—Excused.

Hanger.	Patterson.
Lewis.	

By Senator Stafford:

Whereas, Miss Emma Holcomb, special stenographer, who was employed at a salary of \$3.00 per day at the commencement of the session has proven herself one of the most efficient clerks in the Senate, therefore be it

Resolved, That her salary is hereby raised to the sum of \$5.00 per day, same as other clerks.

Adopted.

By Senator Lloyd:

Resolved, That the Chaplain's prayer be incorporated in the Journal.

Lost by the following vote:

Yeas—9.

Goss.	Odell.
Lloyd.	Ross.
McGee.	Stafford.
Miller.	Wayland.
Morriss.	

Nays—17.

Atlee.	Linn.
Davidson.	Neal.
Dibrell.	Potter.
Gough.	Sebastian.
Greer.	Terrell.
Grinnan.	Turney.
James.	Yantis.
Johnson.	Yett.
Kerr.	

Absent.

Burns.

Stone.

Absent—Excused.

Hanger.

Patterson.

Lewis.

By Senator Greer:

Senate bill No. 45, A bill to be entitled "An Act to amend Article 4471, of Chapter 8, Title XCIV, of the Revised Civil Statutes of 1895, so as to permit railroad and other corporations having the right of eminent domain to enter upon and take possession of property sought to be condemned, pending litigation, upon the payment of the award of the commissioners appointed to appraise and costs, and the deposit of money sufficient to cover future costs and any additional damages that may be adjudged, and to repeal all laws in conflict herewith."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Morriss:

Senate bill No. 46, A bill to be entitled "An Act to amend Title V, Chapter 1, Article 127, of the Penal Code of the State of Texas, adopted at the regular session of the Twenty-fourth Legislature, relating to bribery."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Morriss:

Senate bill No. 47, A bill to be entitled "An Act to create and maintain a more efficient public road system for Cass county."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Davidson:

Senate bill No. 48, A bill to be entitled "An Act to amend Chapter No. 134, Sections Nos. 1, 7, 15, of the General Laws of the Twenty-fourth Legislature, of an act to create a more efficient road system for Hill, Grimes, Cooke, Hunt, Jackson, Bee and Victoria counties, Texas, and making county commissioners of said counties ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of deputy road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers, and defining their duties; and for the working of county convicts upon the public roads of said counties, and providing for officers' fees and rewards for the capture of escaped convicts and to provide for the manner of training hedges along any public road, and to provide for the summoning of teams for road work, and for an allowance of time

road service for same, and fixing a penalty for a violation of this act, and repeal laws in conflict with this act."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Goss:

Senate bill No. 49, A bill to be entitled "An Act to provide for the destruction of prairie dogs, and fix a penalty against persons who fail or refuse to exterminate the prairie dogs on their lands."

Read first time, and referred to Judiciary Committee No. 2.

Call concluded.

The Chair announced the hour heretofore fixed for the Senate to go into Executive Session was at hand and the Senate accordingly went into Executive Session.

AFTER EXECUTIVE SESSION.

In Executive Session the following confirmations were had:

Assistant Attorney-General, Robert A. John of Williamson county.

Superintendent of Penitentiaries, J. S. Rice of Tyler county.

Assistant Superintendent of Penitentiaries at Huntsville, J. C. Smither of Walker county.

Assistant Superintendent of Penitentiaries at Rusk, W. M. Lacy of Anderson county.

Financial Agent for Penitentiaries, W. M. C. Hill of Dallas county.

Commissioner of Insurance, Statistics, History, etc., Jefferson Johnson of Travis county.

State Revenue Agent, Joe Lee Jameson of Bexar county.

EXECUTIVE MESSAGE.

The following message from the Governor was received:

EXECUTIVE OFFICE,
STATE OF TEXAS,
Austin, January 19, 1899.

To the Senate.

I hereby request the advice and consent of the Senate to the following additional appointments:

Live Stock Sanitary Commission—Robert J. Kleberg of Nueces county, W. B. Tullis of Hardeman county, and W. J. Moore of Harris county.

Superintendent of State Reformatory at Gatesville, L. J. Tankersley of Bell county.

Respectfully,
JOSEPH D. SAYERS,
Governor.

Senator Atlee moved that the Senate go into immediate Executive Session to consider the above appointments.

Carried, and the Senate went immediately into Executive Session.

AFTER (2) EXECUTIVE SESSION.

In Executive Session (2) the following confirmations were had:

Live Stock Sanitary Commission—Robert J. Kleberg of Nueces county, W. B. Tullis of Hardeman county, and W. J. Moore of Harris county.

Superintendent of State Reformatory at Gatesville, L. J. Tankersley of Bell county.

By unanimous consent, Senator Sebastian sent up the following

COMMITTEE REPORT.

Committee Room,
Austin, Texas, Jan. 19, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Stock and Stock-raising, to whom was referred the invitation to the Senate to attend the Convention of the National Live Stock Association to be held in Denver, Colorado, January 24th to 27th, 1899,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the President of this body be requested to acknowledge the receipt of the invitation of the National Live Stock Association to attend the ensuing session of its annual convention to be held at Denver, and to express the regret of the Senate that, owing to the pressure of public business the invitation cannot be accepted, together with a suitable expression of the interest felt by this body and the people of Texas in the object and purposes of the Association.

SEBASTIAN, Acting Chairman.

Senator Turney moved the adoption of the above report.

Adopted.

Senator Gough called up the report of the Committee on Rules, and moved its adoption.

Adopted.

By unanimous consent Senator Gough offered the following:

Senate Concurrent Resolution No. 6,
Be it resolved by the Senate, the House of Representatives concurring, that there be printed for the use of the Senate and House, three hundred copies of the Rules of the Senate, Rules of the House, Joint Rules of Senate and House, all Standing Committees of the two houses, the names of Senators and Representatives and their respective districts, the names of the officers of the House and Senate, the Constitution of this State and of the

United States; and the Committee on Rules of the Senate acting with the House Committee on Rules is hereby authorized and instructed to have said copies printed and bound as hereinbefore provided.

By Senator Goss:

Amend by inserting 600 for 300.

Lost.

The resolution was then adopted.

Senator Terrell offered the following:
Senate Concurrent Resolution No. 7,

Resolved by the Senate, the House concurring, that the Regular Session of the Twenty-sixth Legislature of Texas stand adjourned sine die, at 11:30 o'clock a. m., March the 10th, 1899.

Adopted.

On motion of Senator Johnson, the Senate adjourned to 10 a. m. tomorrow.

NINTH DAY.

Senate Chamber,

Austin, Tex., Friday, Jan. 20, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	McGee.
Davidson.	Miller.
Dibrell.	Morriss.
Goss.	Odell.
Gough.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yantis.
Lloyd.	Yett.

Absent.

Burns.	Ross.
Linn.	Stone.
Neal.	

Absent—Excused.

Lewis. Patterson.

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator McGee, the same was dispensed with.

EXCUSED.

On motion of Senator James, Mrs. Pauline Evans, Postmistress, was excused for today on account of sickness.

PETITIONS AND MEMORIALS.

By Senator Davidson:

Memorial from the Normal School of Yorktown, Texas, in session during 1898, relative to the payment of Normal educators, etc.

Read, and referred to Committee on Education.

COMMITTEE REPORTS.

The following special committee report was made:

To the Senate and House of Representatives.

Your committees appointed in accordance with concurrent resolution to invite Hon. William J. Bryan to address the Legislature have extended the invitation, and in reply have received the following telegram:

"Lincoln, Jan. 19, 1899.

"*Senator Potter or Representative Wheelless, Austin, Texas.*

"Am grateful to Legislature for honor done me. Shall accept invitation, but date of visit still uncertain.

"WILLIAM J. BRYAN."

Committee from the Senate:

POTTER,
TERRELL,
MILLER.

Committee from the House:

WHELESS,
BOLIN,
ELLIS.

Committee Room,

Austin, Texas, Jan. 19, 1899.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 24, being a bill to be entitled "An Act to amend Article 867, Chapter 1, Title XXV, of the Revised Civil Statutes of the State of Texas, relating to county finances," passed by the Twenty-fifth Legislature of the State of Texas, and approved March 20th, 1897,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do not* pass, for the reason that the subject matter covered by another bill is reported favorably.

ATLEE, Chairman.

Committee Room,

Austin, Texas, Jan. 19, 1899.

Hon. J. N. Browning, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred